S.B. Civil First Appeal No.85/2003

Date : 7th February, 2006

HON'BLE MR.JUSTICE SATYA PRAKASH PATHAK

Mr.Arun Bhansali for appellant.
Mr.B.K. Bhatnagar for respondents.

The present appeal along with cross-objection has been listed today before the Court as the cross-objection was filed after four days delay. It appears that an application u/s.5 of the Limitation Act has been filed.

Learned counsel for the appellant Mr. Arun Bhansali submits that in this case a money decree was passed where the dispute was with regard to rate of interest awarded by the learned trial court. He submits that the parties have compromised the matter and there remains nothing to be decided between them, therefore, he does not want to continue with the appeal and wants to withdraw the same. Learned counsel for the respondents Mr. B.K. Bhatnagar submits that factum of compromise entered between the parties is correct.

In view of submission made by learned counsel, there remains nothing to be decided in

this appeal. The appeal stands dismissed as withdrawn. The cross-objection also stands dismissed.

(SATYA PRAKASH PATHAK),J.